

**State Of Minnesota**

County

**District Court**

Judicial District: \_\_\_\_\_

Court File Number: \_\_\_\_\_

Case Type: \_\_\_\_\_

Harassment

**Petitioner's Affidavit and Petition for Harassment Restraining Order**

(Minn. Stat. §609.748)

**Petitioner**

Name:

Address:

Date of Birth:

On behalf of: (names of minor children  
who are victims of harassment and their  
dates of birth)

Name:

DOB:

Name:

DOB:

Name:

DOB:

vs.

**Respondent**(Person harassing you or your minor child)  
:

Name:

Address:

Date of Birth:

(if known, or approximate  
age)

STATE OF MINNESOTA )

COUNTY OF \_\_\_\_\_) SS

*(County where affidavit is signed)*

I understand that I must tell the truth. I state that:

1. I am the Petitioner in this case. The victim of the harassment is ☐ me ☐ a minor child for whom I am the parent, legal guardian or stepparent. (If you are the guardian, attach a copy of the order appointing you.) The name of each victim, other than me, is: \_\_\_\_\_

How does each victim know the Respondent and what is their relationship? \_\_\_\_\_

If you are filing on behalf of another person, what is your relationship to each victim? \_\_\_\_\_

2. a) How many restraining orders have been in effect, ordering Respondent to stay away from the victims you included at #1 above? ☐ none ☐ one ☐ two or more. For each restraining order provide:

Court File Number, if known	County and State where the court is located

b) Does Respondent have a current Harassment Restraining Order or Order for Protection against you?

☐ Yes, Case File Number (if known) \_\_\_\_\_ ☐ No, I am not aware of any.

3. The following court cases involve me and the Respondent in issues of child custody or parenting time:

Court File Number	County and State where the court is located

4. Respondent has harassed the victim(s) as follows:

- *Check all boxes that apply and give the date and details of each incident.*
- *To get a Restraining order, you must describe actions that meet the legal definition of harassment in Minnesota. See the Instructions for the definition of harassment.*
- *One incident of physical or sexual assault can meet the definition of harassment. For any other act, there must be more than one incident.*
- *If you need more space, attach a full sheet of paper and continue your description there. Do not write on the back.*

☐ Respondent physically or sexually assaulted the victim as follows: \_\_\_\_\_

\_\_\_\_\_

☐ Respondent has followed, pursued or stalked the victim as follows: \_\_\_\_\_

\_\_\_\_\_

☐ Respondent made uninvited visits to the victim as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent made harassing phone calls to the victim as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent made threats to the victim as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent frightened the victim with threatening behavior as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent broke into and entered the victim's residence as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent damaged the victim's property as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent stole property from the victim as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ Respondent took pictures of the victim without permission as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

☐ More than once, Respondent has done acts that meet the legal definition of "targeted residential picketing" by: \_\_\_\_\_

\_\_\_\_\_

☐ I told Respondent not to come to certain public events that I or the children attend because:

\_\_\_\_\_  
After that, Respondent attended public events I/we attended: (List dates, places and name of events)  
\_\_\_\_\_

\_\_\_\_\_  
These acts by Respondent show a pattern of attending public events while knowing that attending is harassing to me/children.

☐ Other: \_\_\_\_\_  
\_\_\_\_\_

5. Describe the effect the harassment has upon the victim's safety, security or privacy:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Do you believe the harassment will continue? Why?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. I ask the Court to issue a Restraining Order as follows: *Check all boxes (a through e) that apply.*

☐ a. Respondent shall not harass ☐ me ☐ minor child (ren) for whom I am the parent, legal guardian, or stepparent. List the full names of the minor children included in this Petition: \_\_\_\_\_

☐ b. Respondent shall have no contact with ☐ me ☐ the minor child(ren) listed above.

☐ c. Respondent shall stay away from where I/we live (address) \_\_\_\_\_  
\_\_\_\_\_

☐ d. Respondent shall stay away from my/the victim's job site located at \_\_\_\_\_  
\_\_\_\_\_

☐ e. Other: \_\_\_\_\_  
\_\_\_\_\_

8. Court Hearing

*Petitioner: Read these Notices about a Hearing*

- *You have a right to request a court hearing.*
- *If the Judge dismisses your case because it has no merit, no hearing will be held.*

- *The Judge can issue a Restraining Order without a court hearing if the Judge finds there is immediate and present danger of harassment.*
- *If the Judge issues a Restraining Order without a hearing, the Respondent can request a hearing within 45 days of the date the Restraining Order is issued. If Respondent requests a hearing, the court will notify you by mail at least five days before the hearing date.*
- *If there is a hearing, you must attend the hearing and prove that the statements in your Petition & Affidavit are true, and that Respondent's actions are harassment, as defined by Minnesota law.*

Choose a. or b.

☐ a. I am not requesting a court hearing at this time.

But if the court denies my request for a restraining order because the court finds there is no immediate and present danger of harassment, then (check one) ☐ I want ☐ I don't want a court hearing.

OR

☐ b. I am requesting a court hearing.

9. I request a Restraining Order for a length of:

☐ 2 years

☐ Until the following date: \_\_\_\_\_, which is less than 2 years from \_\_\_\_\_ today.

☐ Up to 50 years because:

☐ I have two or more prior restraining orders against Respondent (listed at #2 above.)

☐ Respondent has violated a prior or existing restraining order between us on two or more occasions.

**I understand the court will likely schedule a court hearing for any request over 2 years.**

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Telephone ( )

\_\_\_\_\_  
E-mail address:

*Notice: If your address or telephone changes, you must give Court Administration your new information right away, in writing.*